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13 **UNITED STATES DISTRICT COURT**
14
15 **DISTRICT OF NEVADA**

16 UNITED STATES OF AMERICA,

17 Case No. 2:09-CR-00322-JCM-1

18 Plaintiff,

19 **STIPULATION TO VACATE**
20 **HEARING AND DISMISS PETITION**
21 **(ECF NO. 33)**

22 v.

23 ANDRE BYRON ROGERS,

24 Defendant.

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26 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
Acting United States Attorney, and Supriya Prasad, Assistant United States Attorney, counsel
for the United States of America, and Rene L. Valladares, Federal Public Defender, and
Monique Kirtley, Assistant Federal Public Defender, counsel for Andre Byron Rogers, that the
Revocation Hearing currently scheduled on June 23, 2021 at 10:30 am, be vacated and that the
revocation of supervised release petition be dismissed.

27 This Stipulation is entered into for the following reasons:

28 1. The parties previously stipulated to continue Mr. Rogers revocation hearing
29 because he was pending a state case matter, which is related to the allegation in paragraph one
30 of the revocation of supervised release petition. ECF No. 47.

2. The state case matter has been denied by the district attorney's office.

3. Due to the denial of the state case matter the parties respectfully requests that this Court vacate the pending revocation hearing and dismiss the revocation petition.

4. United States Probation has been consulted and agrees with vacating pending hearing and dismissal of the petition.

DATED this 17th day of June, 2021.

RENE L. VALLADARES
Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ *Monique Kirtley*
By _____

/s/ *Supriya Prasad*
By _____
SUPRIYA PRASAD
Assistant United States Attorney

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,
v.
ANDRE BYRON ROGERS,
Defendant.

Case No. 2:09-CR-00322-JCM-1

ORDER GRANTING STIPULATION,
VACATING REVOCATION
HEARING, AND DISMISSAL OF THE
PETITION

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10 Based on the stipulation of counsel, the Court finds that good cause exists to vacate the
11 revocation hearing and dismiss the petition.

12 IT IS THEREFORE ORDERED that the revocation hearing scheduled for June 23,
13 2021, at 10:30 a.m. is VACATED.

14 IT IS FURTHER ORDERED that the petition to revoke supervised release (ECF No.
15 33) is DISMISSED.

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17 DATED June 18, 2021.

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UNITED STATES DISTRICT JUDGE
JAMES C. MAHAN